

The 16th September, 1970

No. 7954-1 Lab-70/27044.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Elson Cotton Mills, (P) Ltd., Ballabgarh.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 78/70

between

SHRI ONKAR WORKMAN AND THE MANAGEMENT OF M/S ELSON COTTON MILLS,
(P) LTD., BALLABGARH

Present :

Shri Darshan Singh, for the workman.

Shri R. C. Sharma, for the management.

AWARD

Shri Onkar was in the employment of M/s. Elson Cotton Mills (P) Ltd., Ballabgarh. His services were terminated by the management. This gave rise to an industrial dispute between the parties. The Governor of Haryana, had been pleased to refer the dispute for adjudication to the Labour Court, Faridabad presided over by Shri P. N. Thukral, under clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, —vide order No. 1D/FD/392-A, dated 29th July, 1969. The matter in issue being as given below :—

“ Whether the termination of service of Shri Onkar was justified and in order. If not ; to what relief is he entitled?”

While this reference was still pending adjudication the appointment of Shri P. N. Thukral, as Presiding Officer, of the Labour Court was held to be invalid, —vide judgement dated 2nd September, 1969 of the High Court for the States of Punjab and Haryana in another case of M/s. Gedore Tools (I) Ltd., Faridabad. The Governor of Haryana has been further pleased to refer the above dispute to this Court by a fresh Notification No. 6091-E-Lab-70/22387, dated 31st July, 1970. The file containing the original order of reference has also been received and the case has been registered afresh.

Notice was given to the parties who have appeared today. It has been stated on both sides that a settlement has been arrived at. According to this settlement Shri Onkar workman has received Rs. 605 from the management in full and final settlement of his claim and he has given up his right of re-instatement or re-employment.

In view of the above, the order of termination of the services of Shri Onkar can not be said to be unjustified and his entire dues having been paid by the management, he is not entitled to any other relief in the case. I give my award accordingly. There will be no order as to cost.

O. P. SHARMA,

Dated the 20th August, 1970.

Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 529, dated Faridabad, the 3rd September, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Dated 20th August, 1970

Presiding Officer,
Labour Court, Haryana,
Faridabad.